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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,908	02/19/2002	Garey George Roden	BAE-2 (52AY1395)	4796

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EXAMINER

DOLE, TIMOTHY J

ART UNIT	PAPER NUMBER
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2858

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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The information disclosure statement filed June 28, 2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609, specifically 37 CFR 1.97 (e)(1), because it was filed more than three months after the information in the IDS was first cited in a communication from a foreign patent office in a counterpart foreign application. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

**ANJAN DEB
PRIMARY EXAMINER**

TJD